

REMARKS/ARGUMENTS

This application is under final rejection. Applicant has presented arguments hereinbelow that Applicant believes should render the claims allowable. In the event, however, that the Examiner is not persuaded by Applicant's arguments, Applicant respectfully requests that the Examiner enter the amendment to clarify issues upon appeal.

This Amendment is in response to the Office Action dated February 8, 2005. Claims 3-15 and 22 are pending. Claims 3-12 and 22 are rejected. Claims 12-14 and 22 are objected to. Claims 13 and 14 are allowed. Claims 3, 13, 14, and 22 have been amended. No claims have been canceled or added. Accordingly, claims 3-12 and 22 remain pending in the present application.

Applicant appreciates the allowance of claims 13 and 14.

Claims 12-14 and 22 are objected to because of informalities. Applicant has amended claims 13, 14, and 22 to recite "said second one of said nodes" to provide clear antecedent basis. Applicant further submits that "said master clock signal" in claim 12 line 3 has proper antecedent basis. The antecedent basis can be found at line 1 of claim 12, reciting "said control signal is a master clock signal". The Examiner's objections are thus traversed.

Claims 3, 8, 9, 11, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita (6,438,175) in view of Hamano et al (5,610,660). The Examiner states:

With respect tot claims 3 and 22, ...Yamashita does not disclose that wherein the control signal was inserted in the data frame outside of a payload field of the data frame. Hamano discloses (see Abstract) the synchronous word is inserted to each header of the slices....

Applicant respectfully disagrees as to the claims as amended. With the present invention, the control signal is inserted within a data frame during a transmission of the data frame, where the insertion is prioritized. The prioritized insertion is the insertion of the control signal before any other queued data or control codes. (Specification generally and at p. 9, lines 17-18) This priority

allows the control signal to be inserted into the data stream with timing as precise as possible.

(Specification p. 8, lines 14-15)

However, Hamano does not teach the prioritized insertion of the control signal during the transmission of a data frame. Instead, the synchronization word in Hamano is multiplexed into the header of each slice and each picture according to a characteristic of the image data. (Abstract)
The insertion of the synchronization word in Hamano is tied to the characteristics of the image data. No prioritized insertion as claimed is involved.

Therefore, Yamashita in view of Hamano does not teach or suggest inserting and transmitting said control signal on said network to at least a second one of said nodes during a transmission of said data frame on said network, in combination with the other elements as recited in amended independent claims 3 and 22. Applicant submits that claims 8, 9, and 11 are patentable when read in combination with their corresponding independent claim 1.

Claims 4, 10, 12, 15, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Hamano further in view of Brede.

Per claim 22, Applicant's arguments concerning Yamashita and Hamano set forth above applies here with equal force. For the sake of brevity, these arguments will not be repeated here.

Claims 4, 10, 12, and 15 depend upon independent claim 1. Applicant's arguments concerning Yamashita and Hamano above as applied to claim 1 apply here with equal force. Applicant submits that even if Brede teaches the limitations as argued by the Examiner, claims 4, 10, 12, and 15 are still patentable when read in combination with their corresponding independent claim 1.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Hamano and Brede further in view of Ofek (6,259,695). Claims 5 and 6 depend upon independent claim 1. Applicant's arguments concerning Yamashita and Hamano above as applied

to claim 1 apply here with equal force. Applicant submits that even if Brede and Ofek teach the limitations as argued by the Examiner, claims 5 and 6 are still patentable when read in combination with their corresponding independent claim 1.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Hamano. Claim 7 depend upon independent claim 1. Applicant's arguments concerning Yamashita and Hamano above as applied to claim 1 apply here with equal force. Applicant submits that claim 7 is patentable when read in combination with its corresponding independent claim 1.

Therefore, for the above identified reasons, the present invention as recited in independent claims 3, 13, 14, and 22 is neither taught nor suggested by the cited references. Applicant further submits that claims 4-12 and 15 are also allowable because they depend on the above allowable base claims.

In view of the foregoing, Applicant submits that claims 3-15 and 22 are patentable over the cited references. Applicant, therefore, respectfully requests reconsideration and allowance of the claims as now presented.

Applicants' attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
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